

1 CHRISTOPHER CHIOU
2 Acting United States Attorney
3 Nevada Bar Number 14853
4 SUSAN CUSHMAN
5 Assistant United States Attorney
501 Las Vegas Boulevard South, Suite 1100
6 Las Vegas, Nevada 89101
Tel: 702.388.6336
Fax: 702.388-6418
Susan.cushman@usdoj.gov
Attorneys for the United States

7 **UNITED STATES DISTRICT COURT**
8 **DISTRICT OF NEVADA**

9 UNITED STATES OF AMERICA,

10 Plaintiff,

11 v.

12 NELSON ORTIZ CARILLO,

13 Defendant.

Case No. 2:01-cr-0101-JCM-VCF-1

**Motion to Dismiss the Indictment
Without Prejudice and Quash Arrest
Warrant**

14
15 On March 19, 2001, Nelson Ortiz CARILLO was arrested and charged by
16 complaint. ECF 1. On March 21, 2001, a federal grand jury returned an indictment
17 charging Defendant CARILLO with violations of 21 U.S.C. §§ 841(a)(1) and (b)(1)(B)(iii)
18 Distribution of a Controlled Substance – Cocaine Base. ECF 2. That later same day a
19 summons was issued for the defendant to appear. ECF 3. On March 30, 2001, the
20 defendant failed to appear for his arraignment and plea and the Court issued a bench
21 warrant. ECF 7. Court records indicate that defendant fled the jurisdiction in March 2001.
22 ECF 10.

23 ...

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1 CARILLO has never been located by either the Drug Enforcement Administration
2 or the United States Marshall Service. Both agencies are unable to execute the arrest
3 warrant as to the captioned defendant.

4 Therefore, pursuant to Federal Rule of Criminal Procedure 48(a), the government
5 hereby moves for leave of Court to dismiss the Indictment without prejudice and quash the
6 arrest warrant.

7 Respectfully submitted this 5th day of April, 2021.

8 Respectfully submitted,

9 CHRISTOPHER CHIOU
10 Acting United States Attorney

11 /s/ Susan Cushman
12 SUSAN CUSHMAN
13 Assistant United States Attorney

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,
Plaintiff,
v.
NELSON ORTIZ CARILLO,
Defendant.

Case No. 2:01-cr-0101-JCM-VCF

**Order Granting
Motion to Dismiss the Indictment
Without Prejudice and Quash Arrest
Warrant**

Pursuant to Federal Rule of Criminal Procedure 48(a), and upon leave of Court, the
United States hereby dismisses without prejudice the Indictment and quashes the Arrest
Warrant against Defendant NELON ORTIZ CARILLO.

Respectfully submitted,

CHRISTOPHER CHIOU
Acting United States Attorney

/s/ Susan Cushman
SUSAN CUSHMAN
Assistant United States Attorney

Leave of Court is granted for the filing of the above dismissal.

DATED April 16, 2021.

James C. Mahan
HONORABLE JAMES C. MAHAN
UNITED STATES DISTRICT JUDGE